

PATENT APPLICATION SERIAL NO. \_\_\_\_\_

10/02/2006 THOLLAND 00000005 10506877

01 FC:2615

162.00 OP

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE  
FEE RECORD SHEET

09/10/2004 SHAJARRD 00000127 10506877

01 FC:1609	730.00 OP
02 FC:1615	432.00 OP
03 FC:1614	688.00 OP
04 FC:1616	290.00 OP

09/10/2004 SHAJARRD 00000127 10506877

05 FC:1618 130.00 OP

03/02/2006 MKAYPAGH 00000174 041105 10506877

01 FC:1615 324.00 DA

Adjustment date: 03/14/2006 MKAYPAGH  
09/10/2004 SHAJARRD 00000127 10506877  
05 FC:1618 -130.00 OP

3/14/2006 MKAYPAGH 00000170 10506877

1 FC:1617 130.00 OP

Adjustment date: 10/02/2006 THOLLAND  
03/02/2006 MKAYPAGH 00000174 041105 10506877  
01 FC:1615 324.00 CR

Repln. Ref: 10/02/2006 THOLLAND 0013241220  
DA: 041105 Name/Number: 10506877  
FC: 9204 \$908.00 CR

Adjustment date: 10/02/2006 THOLLAND  
09/10/2004 SHAJARRD 00000127 10506877  
01 FC:1609 -730.00 OP  
02 FC:1615 -432.00 OP  
03 FC:1614 -688.00 OP  
04 FC:1616 -290.00 OP

PTO-1556

(5/87)

10/02/2006 THOLLAND 00000004 10506877

01 FC:2609	365.00 OP
02 FC:2615	216.00 OP
03 FC:2614	344.00 OP
04 FC:2616	145.00 OP

MAY-26-2006 FRI 01:04 PM E A P & D

FAX NO. 6174394170

P. 01

**EDWARDS ANGELL PALMER & DODGE LLP**

101 Federal Street Boston, MA 02110 617.439.4444 fax 617.439.4170 capdlaw.com

**FACSIMILE TRANSMITTAL COVER SHEET**

DATE: May 26, 2006

TO: **Receipt Accounting Division**  
(Name)

FAX NO.: 571 273-6500

FROM: **George W. Neuner**

Telephone No.: 617 517-5538

Application No. 10/506,877

FAX NO.: (617) 439-4170

Attorney Docket No. 56954 (70207)

# of pages: 12  
(including cover)

MESSAGE:

**Please see attached.**

Should there be any problem with this transmission, please contact **Helen Murray Tarbi** at 617 517-5514.

**NOTICE**

The message and/or information which accompanies this facsimile cover sheet is intended for the addressee named above only. **If you are not the intended recipient, please contact the sender by collect telephone at the number indicated.** You will be advised regarding the disposition of what you have received. The misdelivery of the message and/or information which accompanies this facsimile cover sheet is not intended to be and shall not constitute a disclosure of trade secrets, of attorney work product or of an attorney-client communication. No waiver of any privilege is intended. Thank you for your attention to this matter.

DOS2\_547122 1

Repln. Ref: 10/02/2006 THOLLAND 0013241200  
DAH: 041105 Name/Number: 10506877  
FC: 9204 \$908.00 CR

Inventors: Gygi, et al.  
USSN 10/506,877  
Attorney Docket No. 56954(70207)  
Page 2

**II. FEES CHARGED FOR WHICH REFUND REQUESTED****AMOUNT OF REFUND  
REQUESTED**

Filing fee	
Search fee	
Examination fee	
surcharge for filing the basic filing fee on a date later than the filing date of the application (37 CFR 1.16(c))	
surcharge for filing the oath or declaration on a date later than the filing date of the application (37 CFR 1.16(e))	
<input type="checkbox"/> extension of term	
<input type="checkbox"/> first month	
<input type="checkbox"/> second month	
<input type="checkbox"/> third month	
<input type="checkbox"/> fourth month	
<input checked="" type="checkbox"/> excess claims	
___ independent claims over 3	
<b>18 claims over 20</b>	<b>324.00</b>
multiple dependent claims	
<input type="checkbox"/> petition fee	
<input type="checkbox"/> patent maintenance fee	
<input type="checkbox"/> first maintenance fee	
<input type="checkbox"/> second maintenance fee	
<input type="checkbox"/> third maintenance fee	

Inventors: Gygi, et al.  
USSN 10/506,877  
Attorney Docket No. 56954(70207)  
Page 3

☐ patent maintenance fee surcharge

☐ Other

priority document fee

designation fee per country (PCT)

**TOTAL REFUND REQUESTED**

**\$324.00**

**III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR**

It has recently come to Applicants attention that our deposit account was charged erroneously the amount of \$324.00 for claims in excess of 20. We have investigated this matter and found that this does not pertain to this application. Copies of the transmittal letter, check and the statement received from the USPTO are attached. Applicants are now requesting that the deposit account be refunded the amount of \$324.00. Thank you in advance for your assistance in this matter.

**IV. MANNER OF REFUND**

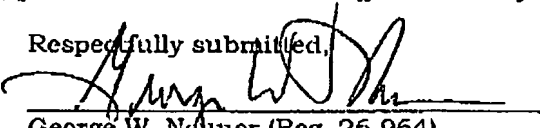
Please make refund by

☒ crediting Account No. 04-1105  
☐ refunding payment.

Should you have any questions, please contact the undersigned attorney.

Respectfully submitted,

Date: May 26, 2006

  
George W. Nefner (Reg. 26,964)  
Edwards Angell Palmer & Dodge LLP  
P.O. Box 55874  
Boston, MA 02205  
617-439-4444  
617-439-4170

Customer No. 21874

Practitioner's Docket No. 56954 (70207)

Page 1 of 6

## CHAPTER II

TRANSMITTAL LETTER  
TO THE UNITED STATES ELECTED OFFICE (EO/US)  
(ENTRY INTO U.S. NATIONAL PHASE UNDER CHAPTER II)

PC1/US03/07527

Filed: March 11, 2003

INTERNATIONAL APPLICATION NO:

INTERNATIONAL FILING DATE:

60/363,179

Filed: March 11, 2002

PRIORITY

DATE CLAIMED

DETECTION AND QUANTIFICATION OF MODIFIED PROTEINS  
TITLE OF INVENTION

Steven P. GYGI and Peng JUNMIN  
APPLICANT(S)

Mail Stop PCT  
Attn: EO/US  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as EXPRESS MAIL Label No. FV 519064531 US in an envelope addressed to: BOX PCT, ATTN: EO/US, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: September 3, 2004

By: Helen Mummy Tarbi  
Helen Mummy Tarbi

*NOTE: To avoid abandonment of the application, the applicant shall furnish to the USPTO, not later than 20 months from the priority date: (1) a copy of the international application, unless it has been previously communicated by the International Bureau or unless it was originally filed in the USPTO; and (2) the basic national fee (see 37 C.F.R. Section 1.492(a)). The 30-month time limit may not be extended. 37 C.F.R. Section 1.495.*

*WARNING: Where the items are those which can be submitted to complete the entry of the international application into the national phase are subsequent to 30 months from the priority date the application is still considered to be in the international state and if mailing procedures are utilized to obtain a date the express mail procedure of 37 C.F.R. Section 1.10 must be used (since international application papers are not covered by an ordinary certificate of mailing - See 37 C.F.R. Section 1.8).*

*NOTE: Documents and fees must be clearly identified as a submission to enter the national state under 35 USC 371 otherwise the submission will be considered as being made under 35 U.S.C. Section 111. 37 C.F.R. Section 1.494(f).*

1. Applicant herewith submits to the United States Elected Office (EO/US) the following items under 35 U.S.C. 371:

[X] This express request to immediately begin national examination procedures (35 U.S.C. Section 371(f)).

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☒ The U.S. National Fee (35 U.S.C. Section 371(c)(1)) and other fees (37 C.F.R. Section 1.492) as indicated below: 2. Fees

CLAIMS FEE	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
<input type="checkbox"/> *	TOTAL CLAIMS	44 - 20 =	24	x \$ 18.00 =	\$ 432.00
	INDEPENDENT CLAIMS	11 - 3 =	8	x \$ 86.00 =	\$ 688.00
ASIC FEE**	MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$290.00				\$ 290.00
	<input checked="" type="checkbox"/> U.S. PTO WAS INTERNATIONAL PRELIMINARY EXAMINATION AUTHORITY				
	Where an International preliminary examination fee as set forth in Section 1.482 has been paid on the international application to the U.S. PTO:				
	<input type="checkbox"/> and the international preliminary examination report states that the criteria of novelty, inventive step (non-obviousness) and industrial activity, as defined in PCT Article 33(2) to (4) have been satisfied for all the claims presented in the application entering the national stage (37 C.F.R. Section 1.492(a)(4))				
					\$ 100.00
	<input checked="" type="checkbox"/> and the above requirements are not met (37 C.F.R. Section 1.492(a)(1))				
					\$ 730.00
	<input type="checkbox"/> U.S. PTO WAS NOT INTERNATIONAL PRELIMINARY EXAMINATION AUTHORITY				
	Where no International preliminary examination fee as set forth in Section 1.482 has been paid to the U.S. PTO, and payment of an international search fee as set forth in Section 1.443(a)(2) to the U.S. PTO:				
	<input type="checkbox"/> has been paid (37 C.F.R. 1.492(a)(2))				
					\$ 770.00
	<input type="checkbox"/> has not been paid (37 C.F.R. 1.492(a)(3))				
					\$ 1,080.00
	<input type="checkbox"/> where a search report on the international application has been prepared by the European Patent Office or the Japanese Patent Office (37 C.F.R. Section 1.492(a)(5))				
					\$ 920.00
SMALL ENTITY	Total of above Calculations				\$ 2,140.00
	Reduction by 1/2 for filing by small entity, if applicable. Affidavit must be filed. (note 37 C.F.R. Sections 1.9, 1.27, 1.28)				
	Processing fee of \$130.00 for furnishing the English Translation/Declaration after filing of this application.				\$ 130.00
	Total National Fee				\$ 2,270.00
	Fee for recording the enclosed assignment document \$40.00 (37 C.F.R. 1.21(h)). (See Item 13 below). See attached "ASSIGNMENT COVER SHEET".				
					\$
TOTAL	Total Fees enclosed				\$ 2,270.00

- i. ☒ Check in the amount of \$2,270.00 to cover the above fees is enclosed.  
 ii. ☐ Please charge Account No. in the amount of \$

**\*\* WARNING:** "To avoid abandonment of the application the applicant shall furnish to the United States Patent and Trademark Office not later than the expiration of 30 months from the priority date: \* \* \* (2) the basic national fee (see Section 1.492(n)). The 30-month time limit may not be extended." 37 C.F.R. Section 1.495(b).

**WARNING:** If the translation of the international application and/or the oath or declaration have not been submitted by the applicant within thirty (30) months from the priority date, such requirements may be met within a time period set by the Office. 37 C.F.R. Section 1.495(b)(2). The payment of the surcharge set forth in Section 1.492(e) is required as a condition for accepting the oath or declaration later than thirty (30) months after the priority date. The payment of the processing fee set forth in Section 1.492(f) is required for acceptance of an English translation later than thirty (30) months after the priority date. Failure to comply with these requirements will result in abandonment of the application. The provisions of Section 1.136 apply to the period which is set. Notice of Jan. 3, 1993, 1147 O.G. 29 to 40.

Practitioner's Docket No. 56954 (70207)  
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2. ☒ A copy of the International application as filed (35 U.S.C. Section 371(c)(2)):

*NOTE: Section 1.495 (b) was amended to require that the basic national fee and a copy of the international application must be filed with the Office by 30 months from the priority date to avoid abandonment. The International Bureau normally provides the copy of the international application to the Office in accordance with PCT Article 20. At the same time, the International Bureau notifies applicant of the communication to the Office. In accordance with PCT Rule 47.1, that notice shall be accepted by all designated offices as conclusive evidence that the communication has duly taken place. Thus, if the applicant desires to enter the national stage, the applicant normally need only check to be sure the notice from the International Bureau has been received and then pay the basic national fee by 30 months from the priority date." Notice of Jan. 7, 1993, 1147 O.G. 29 to 40, at 35-36. See item 14c below.*

- a. ☒ is transmitted herewith.  
b. ☐ is not required, as the application was filed with the United States Receiving Office.  
c. ☐ has been transmitted  
i. ☐ by the International Bureau.  
ii. ☐ by applicant on \_\_\_\_\_

3. ☒ A translation of the International application into the English language (35 U.S.C. Section 371(c)(2)):

- a. ☒ is transmitted herewith.  
b. ☐ is not required as the application was filed in English.  
c. ☐ was previously transmitted by applicant on Date \_\_\_\_\_  
d. ☐ will follow.

4. ☒ Amendments to the claims of the International application under PCT Article 19 (35 U.S.C. Section 371(c)(3)):

*NOTE: The Notice of January 7, 1993 points out that 37 C.F.R. Section 1.495(a) was amended to clarify the existing and continuing practice that PCT Article 19 amendments must be submitted by 30 months from the priority date and this deadline may not be extended. The Notice further advises that: "The failure to do so will not result in loss of the subject matter of the PCT Article 19 amendments. Applicant may submit that subject matter in a preliminary amendment filed under Section 1.121. In many cases, filing an amendment under Section 1.121 is preferable since grammatical or idiomatic errors may be corrected." 1147 O.G. 29-40, at 36.*

- a. ☐ are transmitted herewith.  
b. ☐ have been transmitted  
i. ☐ by the International Bureau.  
ii. ☐ by applicant on \_\_\_\_\_  
c. ☒ have not been transmitted as  
i. ☒ applicant chose not to make amendments under PCT Article 19.  
ii. ☐ the time limit for the submission of amendments has not yet expired. The amendments or a statement that amendments have not been made will be transmitted before the expiration of the time limit under PCT Rule 46.1.

5. ☒ A translation of the amendments to the claims under PCT Article 19 (38 U.S.C. Section 371(c)(3)):

- a. ☐ is transmitted herewith.  
b. ☐ is not required as the amendments were made in the English language.  
c. ☒ has not been transmitted for reasons indicated at point 5(c) above.

6. ☒ A copy of the international examination report.

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- ☐ is transmitted herewith.  
☒ is not required as the application was filed with the United States Receiving Office.
7. ☐ A translation of the relevant portions of the international preliminary examination report  
a. ☐ is transmitted herewith.  
b. ☒ is not required as the annexes are in the English language.
8. ☒ An oath or declaration of the inventor (35 U.S.C. Section 371(c)(4)) complying with 35 U.S.C. 115  
a. ☐ was previously submitted by applicant on  
b. ☐ is submitted herewith, and such oath or declaration  
i. ☐ is attached to the application.  
ii. ☐ identifies the application and any amendments under PCT Article 19 that were transmitted as stated in points 3(b) or 3(c) and 5(b); and states that they were reviewed by the inventor as required by 37 C.F.R. Section 1.70.  
c. ☒ will follow.

Other document(s) or information included:

9. ☒ An International Search Report  
a. ☒ is transmitted herewith.  
b. ☐ has been transmitted by the International Bureau.  
c. ☐ is not required, as the application was searched by the United States International Searching Authority.  
d. ☐ will be transmitted promptly upon request.  
e. ☐ has been submitted by applicant on Date
10. ☒ An Information Disclosure Statement under 37 C.F.R. Sections 1.97 and 1.98:  
a. ☒ is transmitted herewith.  
Also transmitted herewith is/are:  
☒ Form PTO-1449 (PTO/SB/08A and 08B).  
☒ Copies of citations listed.  
b. ☐ will be transmitted within THREE MONTHS of the date of submission of requirements under 35 U.S.C. Sections 371(c).  
c. ☐ was previously submitted by applicant on Date  
d. ☒ Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
11. ☒ Copy of the assignment document as filed in the corresponding PCT application is transmitted herewith.

A separate ☐ "COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" or ☐ FORM PTO 1595 is also attached.



Practitioner's Docket No. 56954 (70207)

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12. ☒ Additional documents:
- a. ☒ Copy of request
  - b. ☒ PCTRO/102
  - c. ☒ PCT/RO/105
  - d. ☒ PCT/RO/106
  - e. ☒ Request for a one-month extension
  - f. ☒ Response to Invitation to Correct Defects
  - g. ☒ PCT/ISA/202
  - h. ☒ PCT/ISA/220
  - i. ☒ International Publication No. WO 2003/078962
    - i. ☒ Specification, claims and drawings
    - ii. ☐ Front page only
  - j. ☒ PCT/IB/301
  - k. ☒ PCT/IB/304
  - l. ☒ PCT/IB/308
  - m. ☒ PCT/IB/332
  - n. ☒ Letter Accompanying Chapter II Demand
  - o. ☒ PCT/IPEA/402
  - p. ☒ EPO Form 1201
13. ☒ The above checked items are being transmitted
- a. ☒ before 30 months from any claimed priority date.
  - b. ☐ after 30 months.

**AUTHORIZATION TO CHARGE ADDITIONAL FEES**

**WARNING:** Accurately count claims, especially multiple dependent claims, to avoid unexpected high charges if extra claims are authorized.

**NOTE:** "A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under Section 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of the fee set forth in

Practitioner's Docket No. 56954 (70207)

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Section 1.17(e) will also be treated as a constructive petition for an extension of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 C.F.R. Section 1.136(a)(3).

NOTE: "Amounts of twenty-five dollars or less will not be returned unless specifically requested within a reasonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may be returned by check or, if requested, by credit to a deposit account." 37 C.F.R. Section 1.26(a).

☒ The Commissioner is hereby authorized to charge the following additional fees that may be required by this paper and during the entire pendency of this application to Account No. 04-1105.

☒ 37 C.F.R. Section 1.492(a)(1), (2), (3), and (4) (filing fees)

WARNING: Because failure to pay the national fee within 30 months without extension (37 C.F.R. Section 1.495(b)(2)) results in abandonment of the application, it would be best to always check the above box.

☒ 37 C.F.R. Section 1.492(b), (c) and (d) (presentation of extra claims)

NOTE: Because additional fees for excess or multiple dependent claims not paid on filing or on later presentation must only be paid or these claims cancelled by amendment prior to the expiration of the time period set for response by the PTO in any notice of fee deficiency (37 C.F.R. Section 1.492(d)), it might be best not to authorize the PTO to charge additional claim fees, except possible when dealing with amendments after final action.

☒ 37 C.F.R. Section 1.17 (application processing fees)

☒ 37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to Section 1.136(a).

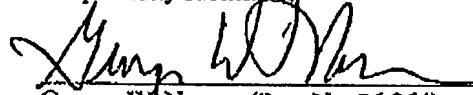
☐ 37 C.F.R. Section 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. Section 1.311(b))

NOTE: Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the notice of allowance. 37 C.F.R. Section 1.311(b).

NOTE: 37 C.F.R. 1.28(b) requires "Notification of any change in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying . . . issue fee." From the wording of 37 C.F.R. Section 1.28(b): (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.

☐ 37 C.F.R. Section 1.492(e) and (f) (surcharge fees for filing the declaration and/or filing an English translation of an International Application later than 30 months after the priority date).

Respectfully submitted,



George W. Neuner (Reg. No. 26,964)

EDWARDS & ANGELL, LLP

P.O. Box 55874

Boston, MA 02205

Tel: 617-439-4444

Fax: 617-439-4170

Date: September 3, 2004

Customer No: 21,874

NO52\_157221.J

MAY-26-2006 FRI 01:06 PM E A P & D

FAX NO. 6174394170

P. 11

Edwards & Angell

Boston Main Account

NUMBER

715386

COMMISSION Commissioner of Patent & Trademarks

Invoice No.	Invoice Date	Description	Invoice Amount	Discount	Payment Amount
70207.56954/04	9/3/2004	for PTO codes 1202, 1201, 1609, 1617, 1203	\$2,270.00	\$0.00	\$2,270.00

715386

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03/02 318	11363428 64944(70904)	1201 \$400.00	\$78,535.00
03/02 319	11363428 64944(70904)	1202 \$200.00	\$78,335.00
03/02 320	11363428 64944(70904)	1081 \$250.00	\$78,085.00
03/02 334	11364026 64829 (48229)	1011 \$300.00	\$77,785.00
03/02 335	11364026 64829 (48229)	1111 \$500.00	\$77,285.00
03/02 336	11364026 64829 (48229)	1311 \$200.00	\$77,085.00
03/02 337	11364026 64829 (48229)	1201 \$600.00	\$76,485.00
03/02 338	11364021 64974(71987)	1011 \$300.00	\$76,185.00
03/02 339	11364021 64974(71987)	1111 \$500.00	\$75,685.00
03/02 340	11364021 64974(71987)	1311 \$200.00	\$75,485.00
03/02 349	11364019 84997 (47793)	1011 \$300.00	\$75,185.00
03/02 350	11364019 84997 (47793)	1111 \$500.00	\$74,685.00
03/02 351	11364019 84997 (47793)	1311 \$200.00	\$74,485.00
03/02 352	11364019 84997 (47793)	1201 \$600.00	\$73,885.00
03/02 353	11364019 84997 (47793)	1202 \$150.00	\$73,735.00
03/02 485	11270853 64481 (71719)	8021 \$40.00	\$73,695.00
03/02 704	10506877 56954 (70207)	1615 \$324.00	\$73,371.00

**EDWARDS ANGELL PALMER & DODGE LLP**

101 Federal Street Boston, MA 02110 617.439.4444 fax 617.439.4170 eapdlaw.com

Mail to P.O. Box 55874  
Boston, MA 02205

**REFUND CONNECTED  
PCT NATIONAL DIVISION**

**George W. Neuner**  
Direct 617.517.5538  
fax 888.325.9229  
GNeuner@eapdlaw.com

**VIA FACSIMILE**  
571-270-9911

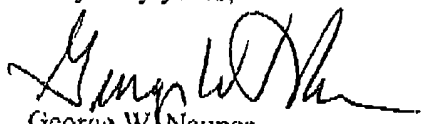
September 29, 2006

Att: Ms. Tammy Holland

Re: Serial No. 10/506,877

As discussed by telephone, I am sending herewith the Request for Refund submitted September 20, 2004 based on error in paying large entity fees when filing this 371 application.

Very truly yours,

  
George W. Neuner  
GWN/hmt

BOS2, 566697.1

REFUND COMPLETED  
PCT NATIONAL DIVISION

Attorney Docket No. 56954 (70207)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Gygi et al.

EXAMINER: Not yet assigned

U.S.S.N.: 10/506,877

ART UNIT: Not yet assigned

FILED: September 3, 2004

CONFIRMATION: Not yet assigned

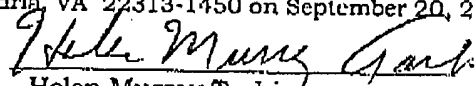
FOR: DETECTION AND QUANTIFICATION OF MODIFIED PROTEINS

Mail Stop 16  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited via First Class Mail in an envelope addressed to Mail Stop 16, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 20, 2004.

By:

  
Helen Murray TarbiREQUEST FOR REFUND  
(Due to Applicant's Error)

## I. REFUND REQUEST

This is a request for a refund with respect to check Number 715386 dated September 3, 2004 (copy enclosed) for the below-identified application:

☒ application.  
☐ patent.

(check the following, if desired, and supply copy of statement)

Gygi, et al.  
 USSN 10/506,877  
 Attorney Docket No. 56954 (70207)

## II. FEES CHARGED FOR WHICH REFUND REQUESTED

	AMOUNT OF REFUND REQUESTED
<input checked="" type="checkbox"/> filing fee	365.00
<input type="checkbox"/> surcharge for filing the basic filing fee on a date later than the filing date of the application (37 CFR 1.16(e))	_____
<input checked="" type="checkbox"/> surcharge for filing the oath or declaration on a date later than the filing date of the application (37 CFR 1.16(e))	65.00
<input type="checkbox"/> extension of term	_____
<input type="checkbox"/> first month	_____
<input type="checkbox"/> second month	_____
<input type="checkbox"/> third month	_____
<input type="checkbox"/> fourth month	_____
<input checked="" type="checkbox"/> excess claims	_____
8 independent claims over 3	344.00
24 total claims over 20	216.00
multiple dependent claims	145.00
<input type="checkbox"/> petition fee	_____
<input type="checkbox"/> patent maintenance fee	_____
<input type="checkbox"/> first maintenance fee	_____
<input type="checkbox"/> second maintenance fee	_____
<input type="checkbox"/> third maintenance fee	_____
<input type="checkbox"/> patent maintenance fee surcharge	_____
<input type="checkbox"/> Other	_____
priority document fee	_____
designation fee per country (PCT)	_____

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**TOTAL REFUND REQUESTED                      \$1,135.00**

**III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR**

On September 3, 2004, Applicants filed an application under 35 USC 371 with a check in the amount of \$2,270.00 (copy of the transmittal and check are enclosed). Applicant is a small entity. This was inadvertently overlooked at the time of filing. Applicants are requesting a refund in the amount of \$ 1,135.00. Thank you in advance for your assistance in this matter.

**IV. MANNER OF REFUND**

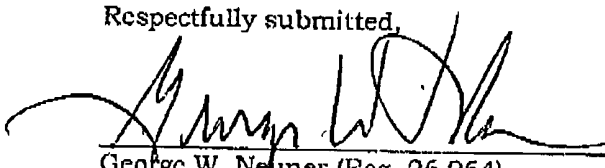
Please make refund by

- crediting Account No. **04-1105**  
**X** refunding payment.

Should you have any questions, please contact the undersigned attorney.

Respectfully submitted,

September 20, 2004

  
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Edwards & Angell, LLP  
P.O. Box 55874  
Boston, MA 02205  
617-439-4444  
617-439-4170

Customer No. 21874

POS2\_435081.1